
DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Dorsey

SB No. 611

Proposed law creates the River Park Development District in the city of Baton Rouge, parish of East Baton Rouge, as a political subdivision of the state. Provides for the boundaries of the district.

Proposed law provides that the district's purpose is to provide for cooperative economic and community development among the district, the city-parish, the state, and the owners of the property in the district, in order to assist in the redevelopment of the property within the district.

Proposed law provides that the district shall be governed by a board of commissioners appointed as follows:

- (1) Two members appointed by the mayor-president.
- (2) One member appointed by the state representative whose district encompasses all or the greater portion of the area of the district.
- (3) One member appointed by the state senator whose district encompasses all or the greater portion of the area of the district.
- (4) The executive director of the Downtown Development District or his designee.

Proposed law provides that appointed members serve five-year terms after the initial staggered terms. Provides that the executive director of the Downtown Development District shall serve during his term of office. Any designee of the executive director shall serve at the pleasure of the director. Provides with respect to officers and meetings of the board.

Proposed law provides that the domicile of the board shall be established by the board at a location within the district. Provides the general rights and powers of the district and its board of commissioners shall include the following:

- (1) To sue and to be sued.
- (2) To adopt and use a corporate seal.
- (3) To acquire by gift, grant, purchase, or otherwise all property, including rights of way; to hold and use any franchise or property, real, personal, or mixed, tangible or intangible, or any interest therein, necessary or desirable for carrying out the objects and purposes of the district, including but not limited to the establishment, maintenance, and operation of industrial parks, ports, harbors, and terminals.
- (4) To enter into contracts for the purchase, acquisition, construction, and improvement of works and facilities.
- (5) To incur debt and to issue revenue bonds, special assessment bonds, certificates, notes, and other evidences of indebtedness and to levy and cause to be collected certain taxes.
- (6) To regulate the imposition of fees and rentals charged by the district for its facilities and services rendered by it.

- (7) To borrow money and pledge all or part of its revenues, leases, rents, or other advantages as security for such loans.
- (8) To appoint officers, agents, and employees, prescribe their duties, and fix their compensation.
- (9) To exercise any and all of the powers granted to an economic development district, including but not limited to the powers of tax increment financing, and the power to levy taxes within the district.
- (10) To exercise any and all of the powers granted to a community development district, including but not limited to the power to levy special assessments on property within the district.

Proposed law authorizes the district to exceed the limit for sales taxes set forth in the constitution. Provides that taxes and assessments to be levied by the district shall be levied only after the board has adopted a resolution and given notice at least 14 days prior to the public meeting of the board to hear any objections to the proposed taxes or assessments. Provides that such taxes or assessments may be levied only after approval of the electors voting at a special election; however, if there are no qualified electors in the district, no election shall be required, but the tax shall not become effective unless and until approved by the city-parish council.

Proposed law authorizes the district to create subdistricts as political subdivisions of the state to be governed by the board of the district. Grants subdistricts the same powers as the district.

Proposed law authorizes the district to issue bonds, notes, certificates of indebtedness and other obligations or evidences of indebtedness. Provides that obligations shall be authorized, issued, and sold by a resolution of the board in such manner and from time to time as determined by the district, subject to approval of the State Bond Commission.

Proposed law provides that for 30 days after the date of publication of the resolution authorizing the bonds, any person in interest may contest the legality of such. After 30 days, no one shall have any right to contest the legality of the resolution.

Proposed law provides that the district will dissolve upon the later of one year after the date on which all loans, bonds, notes, and other evidences of indebtedness of the district are paid in full or 50 years from the effective date of proposed law.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 33:9038.64)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Local and Municipal Affairs to the original bill.

- 1. Removes authority of district to expropriate property, to issue general obligation bonds and to require and issue licenses.
- 2. Adds requirement of approval by the city-parish council of a tax or assessment when there are no qualified electors in the district or subdistrict for an election on the matter.

Senate Floor Amendments to engrossed bill.

- 1. Changes the boundaries of the district by reducing it from four tracts to three tracks.

2. Makes changes relative to the appointing authorities for commissioners to the board by:
 - a) Reducing the mayor-president appointment from five to two members.
 - b) Adding an appointment of one member by the state Representative and one member by the state Senator whose district encompasses all or the greater portion of the area of the district.
 - c) Adds the Executive Director of the Downtown Development District or his designee.

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Municipal, Parochial and Cultural Affairs to the reengrossed bill.

1. Makes technical changes regarding the initial terms of appointed board members. Adds provisions that the executive director of the Downtown Development District shall serve during his term of office and that his designee serve at his pleasure.
2. In provisions that require that at least one member of the board own property in the district or be a designee of a private entity that owns property in the district, provides for a "representative" of such an entity rather than a "designee".